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FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.**

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Docket No. 1090D2

Assistant Commissioner for Patents

Box Patent Application

Washington, D.C. 20231

**UTILITY PATENT APPLICATION TRANSMITTAL**

Inventor(s): Edmund H. Crane, III and Douglas A. Rice

Title: Maize NPR1 Polynucleotides and Methods of Use

**APPLICATION ELEMENTS**

1. ☐ Fee Transmittal Form (Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 78]  
(Preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 2]
  - a. ☒ Formal
  - b. ☐ Informal

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4. ☐ Oath or Declaration [Total Pages \_\_\_\_]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Microfiche Computer Program (Appendix)
6. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Copy
- b. ☒ Paper Copy (identical to computer copy) [Total Pages 10]
- c. ☒ Statement verifying identity to above copies

**ACCOMPANYING APPLICATION PARTS**

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(where there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS/PTO-1449) ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
13. ☐ Small Entity Statement(s) ☐ Statement filed in prior application  
Status still proper and desired
14. ☐ Certified Copy of Priority document(s)

15. ☒ Other: Petition to Accept Color Drawings or Photographs

16. If a **CONTINUING APPLICATION**, check the appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation    ☒ Divisional    ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_.

Prior application information: Examiner \_\_\_\_\_ Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part

of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label: 27310  
(Insert Customer No. or Attach bar code label

here)

or

☐ Correspondence address below

Name:

Address: Pioneer Hi-Bred International, Inc.  
Corporate Intellectual Property  
7100 N.W. 62<sup>nd</sup> Avenue  
P.O. Box 1000

City Johnston State: Iowa Zip Code: 50131-1000

Country: USA Phone: (515) Facsimile (515) 334-6883

:

18. FEE CALCULATION



The total fee is calculated as shown below:

Basic Filing Fee						\$ 740.00
Total Claims	25 - 20	= 5	x	\$ 18.00		90.00
Independent Claims	6 - 3	= 3	x	\$ 80.00		252.00



Multiple Dependent Claims present + \$270.00 \$

TOTAL FILING FEE

\$1082.00



Charge \$1082.00 to Deposit Account No. 16-1852.



The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required by this paper, or credit any overpayment, to our Deposit Account No. 16-1852.



A duplicate of this transmittal is enclosed

Respectfully submitted,



Karen Moon Bruce  
Agent for Applicant(s)  
Registration No. 42,366

PIONEER HI-BRED INTERNATIONAL, INC.  
Corporate Intellectual Property  
7100 N.W. 62<sup>nd</sup> Avenue  
P.O. Box 1000  
Johnston, Iowa 50131-1000  
Phone: (515) 248-4879  
Facsimile: (515) 334-6883

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Docket No. 1090D2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant: Crane, et al.**

**Date: January 15, 2002**

**Serial No.:**

**Group Art Unit:**

**Filed: January 15, 2002**

**Examiner:**

**For: "MAIZE NPR1 POLYNUCLEOTIDES AND METHODS OF USE"**

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

**PETITION TO ACCEPT COLOR DRAWINGS OR PHOTOGRAPHS**

**(Section 1.84(a)(2) and (b)(2))**

1. This petition is for the acceptance of color photographs (37 C.F.R. Section 1.84(b)(2)).
2. Attached hereto are three (3) sets of color photographs.
3. Said color photographs are described in the specification at Page 7 Lines 1 through line 18.
4. Please amend the specification, by inserting the following language as the first paragraph of the section of the specification entitled "BRIEF DESCRIPTION OF THE DRAWINGS" (page 7 between line 1 and 2).

"The file of this patent contains at least one photograph executed in color.  
Copies of this patent with color photograph(s) will be provided by the

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Patent and Trademark Office upon request and payment of necessary fee."

5. The reason for the need for color photographs in this application are as follows:

The results represented in the photographs cannot be adequately demonstrated in any other format than color photographs. The gradation of histochemical staining is important to the understanding of the effects of putative resistance activators and inducer chemicals on NPR1 expression and functions, and this gradation of staining can best be appreciated and interpreted in color photographs.

6. The petition fee required to waive the requirements of Section 1.84 (37 C.F.R. Section 1.17(I)) is paid as follows:

Please charge said fee to Deposit Account No. 16-1852. The commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required by this paper, or credit any overpayment to our Deposit Account No. 16-1852.

Respectfully submitted,



Karen Moon Bruce  
Agent for Applicants  
Registration No. 42,366

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**For:** "Maize NPR1 Polynucleotides and Methods of Use"

**Assistant Commissioner for Patents**

**Box Sequence**

**Washington, D.C. 20231**

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE**  
**WITH 37 CFR §§1.821 THROUGH 1.825**

- ☒ I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.
- ☐ I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.
- ☐ I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.

- ☐ I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages \_\_\_\_\_. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), is identical to that originally filed.

Respectfully submitted,



Karen Moon Bruce  
Agent for Applicant(s)  
Registration No. 42,366

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